

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)

v.)

TRAVIS R. HOGG)

No. 3:10-00099

CHIEF JUDGE CAMPBELL

MOTION TO CONTINUE TRIAL

Defendant Travis Hogg respectfully moves the Court to continue the trial set for September 24, 2013.

Section 3161(h)(7)(A) of Title 18 provides, in pertinent part, that any period of delay resulting from a continuance granted on the basis of a court's findings that the ends of justice served by granting of a continuance outweigh the best interests of the public and the defendant in a speedy trial shall be excluded in computing the time within which the trial must commence. The factors that a judge shall consider in determining whether to grant a continuance are found at 18 U.S.C. § 3161(h)(7)(B)(iv). One such factor is whether the denial of a continuance would deny counsel for the defendant "the reasonable time necessary for effective preparation, taking into account the exercise of due diligence."

On August 19, 2013, the Sixth Circuit issued its mandate remanding this case for proceedings consistent with its order entitling Hogg to withdraw his guilty plea. This Court set a trial date of September 24, 2013, and Mr. Hogg was transported from federal prison to the Middle Tennessee area on September 11, 2013. Today, counsel and Hogg met for the first time since the remand. Hogg intends to file a suppression motion but must do additional investigation before doing so, and presently anticipates that he can file that motion by September 30, 2013. In

OKAYED
This motion is GRANTED in the interests of justice to allow defense counsel to be prepared for trial.
[Signature]
USDC
9-18-13